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11
12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 DONALD LEO MELLEIN,

15 Plaintiff,

16 v.

17 UNITED STATES OF AMERICA, et
18 al.,

19 Defendants.

No. 2:23-cv-07970-RGK-MAR

NOTICE OF SUBSTITUTION

[28 U.S.C. § 2679(d)(2)]

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO THE
2 PLAINTIFF, BY AND THROUGH THE PLAINTIFF'S, COUNSEL OF RECORD:

3 NOTICE IS HEREBY GIVEN that, pursuant to 28 U.S.C. § 2679(d)(2), the
4 United States of America is hereby substituted as the Defendant herein, in place and
5 instead of Lynne K. Zellhart. The basis for this substitution is set forth in the
6 Certification of the Acting Chief of the Civil Division for the Central District of
7 California, stating that Lynne K. Zellhart was acting within the course and scope of her
8 employment at all times relevant to the events in this action. A true and correct copy of
9 the Certification is attached hereto.

10
11 Dated: January 16, 2024

Respectfully submitted,

12 E. MARTIN ESTRADA

United States Attorney

13 DAVID M. HARRIS

Assistant United States Attorney

14 Chief, Civil Division

JOANNE S. OSINOFF

15 Assistant United States Attorney

Chief, Complex and Defensive Litigation Section

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19 /s/ Jasmin Yang

JASMIN YANG

20 Assistant United States Attorney

21 Attorneys for Lynne K. Zellhart
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CERTIFICATION OF SCOPE OF FEDERAL EMPLOYMENT

I, Jessica Cheh, Acting Chief of the Civil Division, United States Attorney's Office for the Central District of California, pursuant to the provisions of 28 U.S.C. §2679(d), and by virtue of the authority vested in me by the Attorney General of the United States under 28 C.F.R. §15.4, hereby certify as follows:

1. I have read the First Amended Complaint ("FAC") entitled *Donald Mellein v. United States, et al.* Case No. CV 23-07970-RGK-MAR, in the United States District Court for the Central District of California.

2. Based upon the information now available to me with respect to the incidents referred to in the FAC, defendant Lynne Zellhart was acting within the course and scope of employment with the United States at all times material to the incidents alleged in the FAC.

DATED: January 16, 2024



JESSICA O. CHEH
Assistant United States Attorney
Acting Chief, Civil Division